

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JEFFREY P. BEZOS, JOEL R. SPIEGAL and JON MCAULITTE

Application No. 09/377,322

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on May 11, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an information disclosure statement (IDS) on November 12, 1999. Appellants filed another IDS on November 8, 2000. Both of these IDSs are incomplete in their consideration by the examiner.

According to the Manual of Patent Examining Procedure (MPEP) § 609 C(2) (Eighth Ed., Rev. 2, May 2004):

Examiners must consider all citations submitted in conformance with the rules and this section, and their initials when placed adjacent to the considered citations on the list or in the boxes provided on a form PTO-1449 or PTO/SB/08A and 08B provides a clear record of which

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citations have been considered by the Office. The examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 or PTO/SB/08A and 08B form. (Emphasis added.)

Although the examiner has initialed next to the references cited on the corresponding 1449s of the IDSs, he has failed to sign and note the date they were considered. Hence the considerations are not in full compliance with the requirements of the MPEP § 609 C(2)

ORDERED that the application is returned to the examiner to sign and note the date the IDSs were considered, notify appellants in writing of such consideration, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

cc: KNOBBE, MARTENS, OLSON & BEAR LLP
2040 MAIN STREET FOURTEENTH FLOOR
IRVINE, CA 92614

CF/vsh